

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a dedicated right-of-way.

WHEREAS, a petition to vacate a dedicated right-of-way
within the City of Fort Wayne (as more specifically
described below) was duly filed with the City Planning
Commission; and

WHEREAS, said Commission duly held a public hearing
thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in I.C. 36-7-
4-12; and

WHEREAS, this body concurs in the recommendation of the
City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a
dedicated right-of-way within the City of Fort Wayne, more
specifically described as follows, to-wit:

A parcel commencing at the southeast corner of Lot
18 in Popular Addition at the north right of way
line of Paulding Road; thence east a distance of
25 feet along said right of way line; thence
north, parallel to the west line of Lot 18 of
Popular Addition, a distance of 148 feet to the
North line of Lot 4 of Shoemaker's Addition;
thence west 25 feet to the east line of said Lot
18; thence South 148 feet to the point of
beginning. Which parcel was the west 25 feet of
Lot 4 of Shoemaker's Addition as recorded on
December 22, 1944, plat book 16, page 72.

and which vacating amends the Thoroughfare Plan of the City
Comprehensive ("Master") Plan and is hereby approved in all
respects.

#444

SOUTHWORTH CO. U.S.A.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Janet G. Bradbury
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

** Public hearing to be held on _____,
the _____ day of _____, 1990,
in the Council Chambers.

Sandra E. Kennedy, City Clerk

FOUR STAR BOND
SOUTHWORTH CO. U.S.A.
25% COTTON FIBER

Read the first time in full and on motion by Bradbury, seconded by Adams, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 8-14-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Long, and duly adopted, placed on its passage. PASSED ~~lost~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS				<u>✓</u>
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 3-12-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 5-08-91 on the 12th day of March, 1991

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1991 at the hour of 1:30 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 18th day of March, 1991, at the hour of 8:45 o'clock AP M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

Date Filed: 7/2/90

Vacation Petition

I/We Kathaleen J Glaser
(Applicant's Name or Names)

PETITION TO VACATE Easement for future street
(Street, Alley, Utility Easement, Plat,

Other)

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following Easement fore furture street with the City of Fort Wayne, Indiana, and hereby described as follows:

See Attached
West 25 feet of lot 4 of Shoemaker's addition
(Commonly known as 1207 east Paulding road 46816)

(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

1 That the easement is not nessary as ingress or egress to other
properties whatsoever

2 That said easement is unopened and unimproved

3 That no person ,firm ,or corporation is interested in or
affected by the requested vacation

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described easement be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 2 DAY OF July 1990

Edward Wooldridge
Adjacent Property Owner
Typed Name

1137 east Paulding road 46816
Address Ft Wayne In. Zip

x Edward O. Wooldridge,
Signature

Kathaleen J. Glaser
Adjacent Property Owner
Typed Name

1207 east Paulding road 4681
Address Ft. wayne In. Zip

Kathaleen J Glaser
Signature

Legal Description of Property:

West 25 feet of lot 4 of Shoemakers addition (or
I207 east Paulding road Ft. Wayne In. 46816)

Additional Reasons for Vacation Request:

That the maintenance of said easement is not necessary or
advantageous to the growth of the City of Fort Wayne , and that
it would be to the best interest of the City and the citizens
thereof.

Owners of Adjacent Property:

Edward Wooldridge 1137 E. Paulding rd. 46816

Edward A. Wooldridge

Kathaleen J. Glaser 1207 E. Paulding rd. 46816

Kathaleen J. Glaser

David A. Street 5708 Bowser Ave. 46806

David A. Street

Adjacent Property Address/Zip
Owners TYPED Name

Signature

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE
PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC
HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT:

Kathaleen J. Glaser

Name

1207 E. Paulding rd.

Street Address

Fort Wayne In. 46816

City/State/Zip

(219) 744-5663

Phone

Legal Description of Property to be Vacated

The unnamed street adjacent to lot 4 of Shoemaker's Addition.

A parcel commencing at the southeast corner of lot 18 of Popular Addition at the north right-of-way line of Paulding road; thence east a distance of 25 feet along said right-of-way line; thence north, parallel to the west line of lot 18 of Popular Addition, a distance of 148 feet to the north line of lot 4 of Shoemaker's Addition; thence west 25 feet to the east line of said lot 18; thence south 148 feet to the point of beginning. Which parcel was the west 25 feet of lot 4 of Shoemaker's Addition as recorded on December 22, 1944, plat book 16 page 72.

78-349-9

WHEREAS, KATHALEEN J. GLASER and EDWARD WOOLDRIDGE have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following right-of-way situated in Fort Wayne, Allen County, to-wit:

A parcel commencing at the southeast corner of Lot 18 in Popular Addition at the north right of way line of Paulding Road; thence east a distance of 25 feet along said right of way line; thence north, parallel to the west line of Lot 18 of Popular Addition, a distance of 148 feet to the North line of Lot 4 of Shoemaker's Addition; thence west 25 feet to the east line of said Lot 18; thence South 148 feet to the point of beginning. Which parcel was the west 25 feet of Lot 4 of Shoemaker's Addition as recorded on December 22, 1944, plat book 16, page 72.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated right-of-way has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Pubilc Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated right-of-way hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said right-of-way hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA))
COUNTY OF ALLEN) SS:

I, CHARLES E. LAYTON Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held _____ and as same appears of record in the official records of the Board of Public Works.

DATED THIS 13 DAY OF Feb. 1990

~~FORT WAYNE BOARD OF PUBLIC WORKS~~

Charles E. Layton
Director of Public Works

RESOLUTION

WHEREAS, KATHALEEN J. GLASER and EDWARD WOOLDRIDGE have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following right-of-way situated in Fort Wayne, Allen County, to-wit:

A parcel commencing at the southeast corner of Lot 18 in Popular Addition at the north right of way line of Paulding Road; thence east a distance of 25 feet along said right of way line; thence north, parallel to the west line of Lot 18 of Popular Addition, a distance of 148 feet to the North line of Lot 4 of Shoemaker's Addition; thence west 25 feet to the east line of said Lot 18; thence South 148 feet to the point of beginning. Which parcel was the west 25 feet of Lot 4 of Shoemaker's Addition as recorded on December 22, 1944, plat book 16, page 72.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on August 20, 1990 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated right-of-way.

WHEREAS, said vacation of dedicated right-of-way has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated right-of-way hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated right-of-way hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated right-of-way or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated right-of-way in Allen County, Indiana.

STATE OF INDIANA)

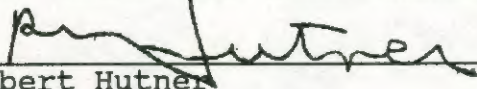
) SS:

COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held August 27, 1990, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 28th DAY OF August 1990

FORT WAYNE CITY PLAN COMMISSION



Robert Hutner
Secretary

RECEIPT

No 7328

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 7/2 1990

RECEIVED FROM Kathleen Glasser \$ 100.00

THE SUM OF One Hundred & 00/100 DOLLARS

ON ACCOUNT OF Easement for future Street

PAID BY: CASH ☒ CHECK ☐ M.O. ☐

[Signature]
AUTHORIZED SIGNATURE

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE A 25' x 148' strip of dedicated street right of way
running north and south between 1137 and 1207 E Paulding Road.

9-90-0813

EFFECT OF PASSAGE Property is presently dedicated street right of way.

Property will be vacated and revert to the use of the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated street right of way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

FACT SHEET

G-90-08-13

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Street Vacation Ordinance

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

A 25' x 148' strip of dedicated right of way running north and south between 1137 & 1207 E Paulding Road.

Reason for Project

Right-of-way is unopened and unimproved, petitioners wish to incorporate it as their property in order to use the land for a garden.

Discussion (Including relationship to other Council actions)

20 August 1990 - Public Hearing

Kathleen Glaser, 1207 E Paulding Road, petitioner appeared before the Commission. Ms. Glaser stated that the right of way is unopened and unimproved and is not needed for ingress or egress to any property or public way. She stated that they would like to vacate this right of way in order to incorporate it as part of their property for their use as a garden. She stated that when the property was purchased they were unaware that this strip of land was a dedicated right of way.

Steve Smith questioned if there were any utilities in the right of way.

Ms. Glaser stated she was unaware of any.

Russell Glaser, 1207 E Paulding Road appeared before the Commission in favor of the petition. Mr. Glaser stated that there are no utilities in the right of way with the exception of a gas line that does run 12 inches from the rear of the property.

There was no else present who wished to speak in favor of or in opposition to the proposed

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

Kathleen Glaser
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

**Staff
Recommendation**
☒ For ☐ Against

Reason Against

**Board or
Commission
Recommendation**

By

☒ For ☐ Against

☐ No Action Taken

☐ For with revisions to condition:
(See Details column for condition)
**CITY COUNCIL
ACTIONS
(For Council
use only)**
☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

vacation.

27 August 1990 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation subject to the petitioner granting utility easements or relocations as necessary.

Of the seven (7) members present, six (6) voted for the motion, one (1) did not vote.

Motion carried.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 2 July 1990

Projected Completion or Occupancy

Date 8 February 1991

Fact Sheet Prepared by
Patricia Biancaniello

Date 8 February 1991

Reviewed by
R. May 10/33
Reference or Case Number

Date 2-14-91

BILL NO. G-90-08-13

REPORT OF THE COMMITTEE ON REGULATIONS

THOMAS C. HENRY, CHAIRMAN
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, BRADBURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare
Plan of the City Comprehensive ("Master") Plan by vacating a
dedicated right-of-way


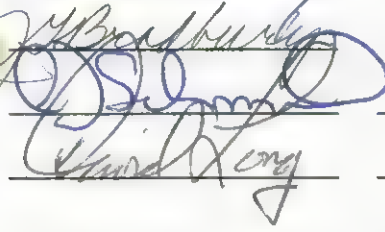
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

DATED: 3-12-91.

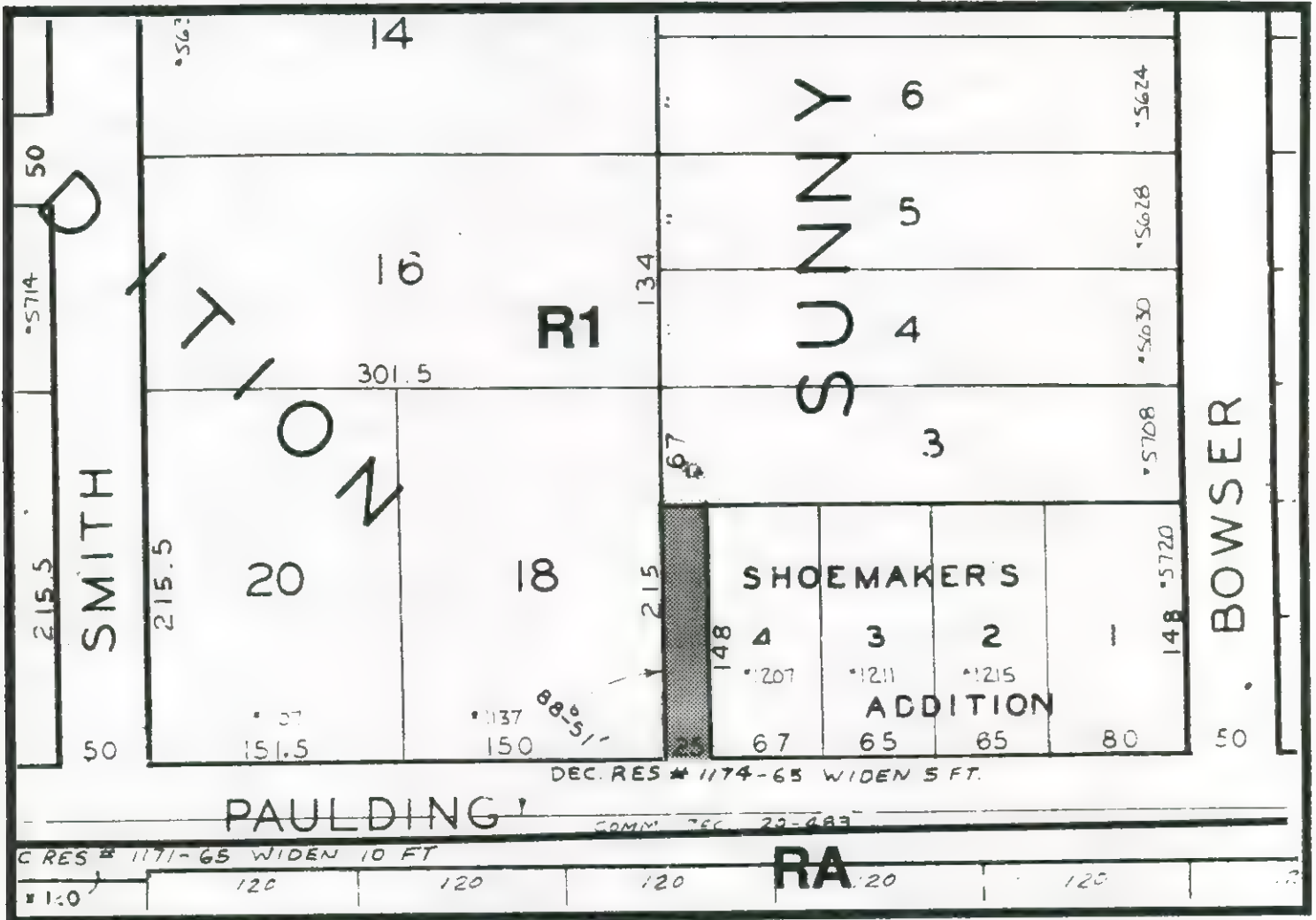
Sandra E. Kennedy
City Clerk

VACATION PETITION #444

A PETITION TO VACATE THE DESCRIBED PORTION OF EASEMENT FOR PUBLIC STREET.

MAP NO. O-19

COUNCILMANIC DISTRICT NO. 6



ZONING:

R1 RESIDENTIAL DISTRICT
RA RESIDENCE "A"

LAND USE:

☐ SINGLE FAMILY

SCALE: 1"=100'

DATE: 7-24-90





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

February 22, 1991

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of February 26, 1991, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-90-08-13
Street Vacation Ordinance

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-90-08-13)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, March 12, 1991, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

A parcel commencing at the southeast corner of Lot 18 in Popular Addition at the north right of way line of Paulding Road; thence east a distance of 25 feet along said right of way line; thence north, parallel to the west line of Lot 18 of Popular Addition, a distance of 148 feet to the North line of Lot 4 of Shoemaker's Addition; thence west 25 feet to the east line of said Lot 18; thence South 148 feet to the point of beginning. Which parcel was the west 25 feet of Lot 4 of Shoemaker's Addition as recorded on December 22, 1944, plat book 16, page 72.

All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

February 22, 1991

Kathleen Glaser
1207 E. Paulding Road
Fort Wayne, IN 46816

NOTICE OF PUBLIC HEARING ON BILL NO. G-90-08-13

You are hereby notified that the Common Council of the City of Fort Wayne will conduct a public hearing on Tuesday, March 12, 1991, at 7:00 P.M. (EST) in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

A 25' X 148' strip of dedicated right-of-way running north and south between 1137 & 1207 E Paulding Road - Right-of-way is unopened and unimproved, petitioners wish to incorporate it as their property in order to use the land for a garden

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk

FW COMMON COUNCIL

(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

23 lines, 1 columns wide equals 23 equivalent lines
at 33 cents per line

\$ 7.59

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 8.59

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: FEB. 26, 19 91

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-90-08-13)

FORT WAYNE COMMON COUNCIL
Sandra E. Kennedy
City Clerk

2--26

who, being duly sworn, says that he/

The Journal-Gazette newspaper of general

circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN

in state and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for

ONE time(s), the dates of publication being as follows:

2-26-91

Subscribed and sworn to before me this 26th day of FEB. 19 91.

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, March 12, 1991, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:
A parcel commencing at the southeast corner of Lot 18 in Popular Addition at the north right of way line of Paulding Road; thence east a distance of 25 feet along said right of way line; thence north to the west line of Lot 18 of Popular Addition, a distance of 148 feet to the point of beginning. Which parcel was the west 25 feet of Lot 4 of Shoemaker's Addition as recorded on December 22, 1944, plat book 16, page 72.
All interested parties are invited to appear and be heard.

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

23 lines, 1 column wide equals 23 equivalent lines
at .33 cents per line \$ 7.59

Additional charge for notices containing rule or tabular work (50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 1.00
8.59

TOTAL AMOUNT OF CLAIM \$ _____

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: FEB. 26 19 91 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned PATTY JAMES who, being duly sworn, says that he/ she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for ONE time (s), the dates of publication being as follows: 2-26-91

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-90-08-13)
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A parcel commencing at the southeast corner of Lot 3 in Popular Addition at the north right of way line of Building Road; thence east a distance of 25 feet along said right of way line; thence north to the west line of Lot 18 of Popular Addition, a distance of 148 feet to the point of beginning. Which parcel was the west 25 feet of Lot 4 of Shoemaker's Addition as recorded on December 22, 1944, plat book 16, page 72.
All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL
Sandra E. Kennedy
City Clerk

2-26

Subscribed and sworn to before me this 26th day of FEB. 19 91

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994